

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

CARL ANDRE MOORE, #234270,

Plaintiffs,

v.

BOB RILEY, et al.,

Defendants.

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CIVIL ACTION NO. 2:05-CV-669-F

ORDER

In this 42 U.S.C. § 1983 action, Carl Andre Moore ("Moore"), a state inmate, seeks to challenge the conditions of confinement at the Montgomery Community Work Center. However, the plaintiff did not file the \$250.00 filing fee nor did he submit an original affidavit in support of a motion for leave to proceed *in forma pauperis* with the requisite documentation from the account clerk at the work center. Thus, the pleadings filed by the plaintiff fail to provide the court with the information necessary for a determination of whether the plaintiff should be allowed to proceed *in forma pauperis* in this cause of action. Accordingly, it is

ORDERED that on or before August 15, 2005 the plaintiff shall file either the appropriate affidavit in support of his motion for leave to proceed *in forma pauperis* accompanied by a prison account statement from the account clerk at the Montgomery Community Work Center showing the average monthly balance in plaintiff's prison account

for the 6-month period immediately preceding the filing of this complaint and the average monthly deposits to plaintiff's account during the past six months *or* the \$250.00 filing fee. To aid the plaintiff in complying with this order, the CLERK is DIRECTED to furnish a copy of this order to the account clerk at the Montgomery Community Work Center.

The plaintiff is advised that under the provisions of 28 U.S.C. § 1915(b)(1), he is required to pay the full amount of the \$250.00 filing fee either from funds presently available to him or from any funds that become available to him in the future. The plaintiff is therefore cautioned that if he fails to comply with this order the Magistrate Judge will recommend that this case be dismissed.

Done this 26th day of July, 2005.

/s/Charles S. Coody
CHARLES S. COODY
CHIEF UNITED STATES MAGISTRATE JUDGE